

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Inventor(s): Dunican et al.

Appln. No.: 09

Series Code ↑

531,266

Serial No. ↑

Filed: March 20, 2000

Hon. Commissioner of Patents

Washington, D.C. 20231

Group Art Unit

1652

Examiner:

Steadman, D.

Atty. Dkt.

258100

990228BT

M#

Client Ref

Appln. Title:

NEW NUCLEOTIDE SEQUENCES
WHICH CODE FOR THE TAL GENE

Sir:

REPLY/AMENDMENT/LETTER

Date: October 28, 2002

OCT 31 2002

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim

A. ☒ NOT madeB. ☐ WithdrawnC. ☐ made herewithD. ☐ made previously

For B & C
See Required
Separate Paper
(Pat-256)

Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims	69	**minus 80	0	x \$18/\$9 = + \$0	103/203
3. Independent Claims	7	***minus 7	0	x \$84/\$42 = + \$0	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)..... add				+ \$280/\$140 = + \$0	104/204
5. Original due Date: October 26, 2002	<input type="checkbox"/> NONE				
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached	(1 mo) (2 mos) (3 mos) (4 mos) (5 mos)	\$110/\$55 = \$400/\$200 = \$920/\$460 = \$1,440/\$720 = \$1,960/\$980 =	+ \$0		115/215 116/216 117/217 118/218 128/228
7. Enter any previous extension fee paid since above original due date and subtract			- \$0		
8.			Extension Fee	+ \$0	
9. If Terminal Disclaimer attached, add Rule 20(d) official fee			+ \$110/\$55	+ \$0	148/248
10. If IDS attached requires Official Fee under Rule 97 (c), add			+ \$180	+ \$0	126
or if Rule 97(d) Request add			+ \$180		126
11. After-Final Request Fee per rules 129(a) and 17(r)			+ \$740/370	+ \$0	146/246
12. No. of additional inventions for examination per Rule 129(b).....			x \$740/370 ea	+ \$0	149/249
13. Request for Continued Examination (RCE)			+ \$740/370	+ \$0	1179/1279
14. Petition fee for				+ \$0	

15.

TOTAL FEE = \$0

16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

**PLEASE CHARGE
OUR DEP. ACCT**

Our Deposit Account No. 03-3975)

(Our Order No. 21123

258100

C#

M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP

Intellectual Property Group

By Atty: Thomas A. Cawley, Jr.

Sig:

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Atty/Sec: TACJ/AMX

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments



Reply Pursuant to 37 C.F.R. § 1.116
Expedited Procedure
Group Art Unit 1652

F/17
10/21/02

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

DUNICAN et al.

Group Art Unit: 1652

Appln. No.: 09/531,266

Examiner: D. STEADMAN

Filed: March 20, 2000

RECEIVED

OCT 31 2002

TECH CENTER 1600/2900

Title: NEW NUCLEOTIDE SEQUENCES WHICH CODE FOR THE TAL GENE

October 28, 2002

* * * * *

AMENDMENT PURSUANT TO UNDER 37 C.F.R. § 1.116

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

This is in response to the final official action dated July 26, 2002, wherein the claims were objected to and were variously rejected under 35 U.S.C. §112, first and second paragraphs. This response is timely filed as the date for taking action (without fee) was October 26, 2002.

Prior to further substantive on the merits, please amend the application as follows.

I. AMENDMENT

IN THE CLAIMS

Please amend claims 17, 18 and 24-26 as follows.

1 17. (Amended) An isolated DNA consisting essentially of nucleotide sequences encoding a protein having the amino acid sequence of SEQ ID NO:2 or SEQ ID NO:4, wherein said protein has transaldolase enzymatic activity.

2 18. (Amended) An isolated DNA consisting of nucleotide sequences encoding a protein having the amino acid sequence of SEQ ID NO:2 or SEQ ID NO:4, wherein said protein has transaldolase enzymatic activity.